

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application Number : 10/589,533 Confirmation No.: 8463
Applicant : David WYNICK
Filed : August 16, 2006
Title : GALANIN RECEPTORS AND BRAIN INJURY
TC/Art Unit : *Unassigned*
Examiner: : *Unassigned*
Docket No. : 68150.000003
Customer No. : **21967**

MAIL STOP MISSING PARTS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA. 22313-1450

Response to Notification of Defective Response

Sir:

Responsive to the attached Notification of Defective Response mailed on May 10, 2007 by the U.S. Patent and Trademark Office ("USPTO"), Applicant submits herewith a copy of their Response to the attached Notification of Missing Requirements under 35 U.S.C. § 371 in the United States Designated/Elected Office (DO/EO/US) ("Not. Miss. Req.") mailed on May 4, 2007 which was filed on May 15, 2007.

Included in the Response filed May 15, 2007 and provided herewith, is a copy of the executed Declaration and Power of Attorney. Applicant previously included a check in the amount of \$65.00 to cover the surcharge for a late submission of a Declaration and Power of Attorney. Applicant also submits herewith a copy of the Sequence Listing in paper and computer readable form (CRF) form and a Statement under 37 C.F.R. §§ 1.821-1.825 that the content of the sequence listing information recorded in the CRF form is identical to the written sequence listing and includes no new matter. Applicant also submits a copy of a second Preliminary Amendment canceling claims and removing multiple dependent claims. Applicant previously included a check in the amount of \$775.00 to cover the remaining excess claim fees comprising \$100.00 for 1 independent claim over 3 and \$675.00 for 27 total claims over 20.

Applicant respectfully notes that the Response to the Not. Miss. Req. was filed 5 days after the mailing of the Notification of Defective Response. Applicant respectfully requests

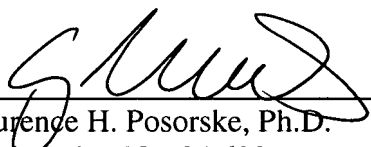
acknowledgment that the requirements are complete or clarification of what, if anything, is missing. Applicant has included a copy of the postcard receipt for the USPTO's convenience.

Applicant respectfully submits that all of the Requirements of the Notification of Defective Response and the Not. Miss. Req, respectively, were satisfied by the Response filed May 15, 2007 and that this Response to the Notification is within 1 month from the mail date of the Notification of Defective Response, therefore no additional fees are required for entry of this Response or the previous Response. However, in the event of any variance between the amount previously submitted and the fees determined by the USPTO, or to maintain this application as pending, please charge or credit any such variance to the undersigned's **Deposit Account No. 50-0206**.

Respectfully submitted,
HUNTON & WILLIAMS LLP

Dated: May 23, 2007

By:


Laurence H. Posorske, Ph.D.
Registration No. 34,698

Christopher J. Nichols, Ph.D.
Registration No. 55,984

HUNTON & WILLIAMS LLP
Litigation and Intellectual Property
1900 K Street, N.W., Suite 1200
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LHP/CJN:cdh



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
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www.uspto.gov

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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/589,533	David Wynnck	68150.000003

21967
HUNTON & WILLIAMS LLP
INTELLECTUAL PROPERTY DEPARTMENT
1900 K STREET, N.W.
SUITE 1200
WASHINGTON, DC 20006-1109

INTERNATIONAL APPLICATION NO.

PCT/GB05/00188

I.A. FILING DATE

01/18/2005

PRIORITY DATE

02/17/2004

CONFIRMATION NO. 8463

371 FORMALITIES LETTER



OC000000023873611

Date Mailed: 05/04/2007

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 08/16/2006
- Copy of the International Search Report filed on 08/16/2006
- Preliminary Amendments filed on 08/16/2006
- Information Disclosure Statements filed on 08/16/2006
- Biochemical Sequence Diskette filed on 08/16/2006
- Oath or Declaration filed on 08/16/2006
- Biochemical Sequence Listing filed on 01/04/2007
- U.S. Basic National Fees filed on 01/04/2007
- Priority Documents filed on 08/16/2006

68150.3

DOCKETED	5-8-07
ACTION CODE	MISS/REQ-SEB
DUE DATE	7-4-07
BASE DATE	5-4-07
DEADLINE	12-4-07
ATTORNEYS	LHP
INITIALS	B

LISTING

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Additional claim fees of \$2505 as a small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.

- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$2570 for a Small Entity:

- **\$65 Surcharge.**
 - The paper or compact disc copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 CFR 1.821(e). Applicant must provide a substitute paper or compact disc copy of the "Sequence Listing", as well as an amendment specifically directing its entry into the application OR a substitute computer readable form (CRF) copy of the "Sequence Listing". These two items must be the same. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).
- Total additional claim fee(s) for this application is \$ 2505
 - \$200 for 2 independent claims over 3.
 - \$2125 for 85 total claims over 20.
 - \$180 for multiple dependent claim surcharge.

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- For Rules Interpretation, call (571) 272-0951
- For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 8 a.m. and 12 midnight, Monday through Friday, EST.
- Send e-mail correspondence for Patentin Software Program Help @ ebc@uspto.gov

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.
<https://portal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

MAMIE P PERSON

Telephone: (703) 308-9140 EXT 227

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/589,533	PCT/GB05/00188	68150.000003

FORM PCT/DO/EO/905 (371 Formalities Notice)

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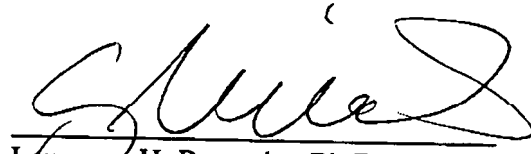
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Applicant respectfully submits that this Response to the Notice is within 2 months from the mail date of the Notice, therefore no additional fees are required for entry of this Response. However, in the event of any variance between the amount enclosed and the fees determined by the USPTO, or to maintain this application as pending, please charge or credit any such variance to the undersigned's **Deposit Account No. 50-0206**.

Respectfully submitted,
HUNTON & WILLIAMS LLP

Dated: May 15, 2007

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